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THE SITUATION IN THE MIDDLE EAST

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Identical letters dated 16 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General and to the President of the Security Council

In my capacity as Chairman of the Group of Arab States for the month of April 1997, and on behalf of the States members of the League of Arab States, I have the honour to transmit to you herewith a copy of resolution 5633 entitled "The occupied Syrian Arab Golan", adopted by the Council of the League of Arab States at its one hundred and seventh regular session on 31 March 1997.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the fifty-first session of the General Assembly, under agenda items 33 and 85, and of the Security Council.

(Signed) Ali AL-SAEID
Chargé d'affaires a.i. of the
Permanent Mission of Kuwait to
the United Nations and Chairman
of the Group of Arab States

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Annex

The Occupied Syrian Arab Golan

- A -

The Council of the League of Arab States,

Having examined the note of the General Secretariat and the recommendation of the Political Affairs Committee,

Having consulted the communiqué issued by the Special Arab Summit Conference held in Cairo from 21 to 23 June 1996, concerning the declaration by Arab leaders that a complete Israeli withdrawal from the Syrian Golan to the line of 4 June 1967 is essential in order to achieve a comprehensive and just peace, and that the building of settlements in the occupied Syrian Arab Golan and the attracting of settlers thereto constitute a violation of the Geneva Conventions and the Madrid Peace Conference, and an obstacle to the peace process,

Following with increased concern and apprehension the continued Israeli occupation of the Syrian Arab Golan, Israel's persistent refusal to apply the United Nations resolutions and to submit to the will of the international community, which considers the Israeli occupation and its decision to annex the Syrian Arab Golan as null and void and lacking validity,

Having carefully studied the situation in the occupied Syrian Arab Golan in the light of the practices of the Israeli occupying authorities in violation of the Charter of the United Nations, international treaties, international law, the United Nations resolutions and the peace process,

Recalling its earlier resolutions as well as international resolutions affirming the inadmissibility of the acquisition of territory by force,

Decides

1. To reaffirm its resolution 4126 of 13 January 1982 and subsequent resolutions, the most recent being resolution 5542 of 21 March 1996, which provides that all measures adopted by the Israeli occupying authorities with a view to altering the juridical, natural and demographic situation in the occupied Syrian Arab Golan are to be rejected and that Israeli measures to extend Israeli sovereignty over the occupied Syrian Arab Golan are to be considered as unlawful and null and void and as constituting a violation of international agreements, the Charter of the United Nations and the United Nations resolutions, in particular Security Council resolution 497 (1981), General Assembly resolution 51/28 of 4 December 1996, which affirmed that the Israeli decision of 14 December 1981 annexing the occupied Syrian Arab Golan was unlawful and null and void and that the Knesset decision of 11 November 1991 for the same purpose was null and void and without validity and constituted a grave violation of Security Council resolution 497 (1981);

2. To call upon the sponsors of the peace process and the international community to assume their responsibility for compelling Israel to comply with the applicable international resolutions calling for complete withdrawal from the occupied Syrian Arab Golan and to assist Syria in its firm position of commitment to the achievement of a just and comprehensive peace in the region;

3. To support the resistance of the Syrian Arab nationals and stand by them in their opposition to Israel's occupation and repressive practices, their persistence in clinging to their land and their Syrian Arab identity, and to reaffirm the applicability of the 1949 Geneva Convention to the citizens of the occupied Syrian Arab Golan;

4. To appeal to the international community, and especially the sponsors of the Madrid Peace Conference on the Middle East, to prevail upon Israel to implement the United Nations resolutions on complete Israeli withdrawal from the Golan to the line of 4 June 1967 and from the occupied Arab territories;

5. To reaffirm the resolute support of the Arab States for Syria's just claim and its right to the return of all the occupied Syrian Arab Golan, based on the foundations of the peace process and the United Nations resolutions;

6. To adhere to the legitimate international resolutions that refuse to recognize or accept any situation resulting from Israeli settlement activity in the occupied Arab territories, considering that such activity is unlawful and creates no rights or obligations, and considering also that the building of settlements and the attracting of settlers thereto constitute a violation of the Geneva Conventions, the Madrid Peace Conference, and an obstacle to the peace process, which calls for an end to all Israeli settlement activity in the occupied Syrian Golan and occupied Arab territories.

- B -

The Council of the League,

Expressing its extreme concern with regard to Israel's continued attempts to thwart the will of the international community and its obduracy in upholding decisions to annex territory which the international community considers null and void, particularly the Knesset decision of 13 March 1996 to approve the preliminary reading of the draft law concerning consolidation of the annexation of the Golan,

Decides

1. To condemn any attempts to consolidate the occupation of the Syrian Golan, considering such attempts as being in defiance of the will of the international community and of legitimate international resolutions, particularly Security Council resolution 497 (1981), which declares Israeli measures in the Golan null and void.

2. To condemn Israeli threats against Syria intended to escalate tension in the region and destroy the peace process.

Res. No. 5633 OS 107 J3 31 March 1997